

Town of Leesburg
Municipal Government Center
25 West Market Street

Agenda
Town Council Meeting
Tuesday, November 8, 2005
7:30 p.m.
Council Chamber

A. INVOCATION: Councilmember Hammler

B. SALUTE TO THE FLAG: Mayor Umstattd

ROLL CALL all present; Councilmember Zoldos left at 9:30 p.m.

C. MINUTES

- a. August 8, 2005 work session
(The minutes were approved by a 7-0 vote)

D. PRESENTATIONS

- a. Resolution of Respect – Adam Maurice Perry
(This item was deferred)
- b. Resolution of Appreciation – Grenville T. Emmet
(This item was approved by a 7-0 vote)
- c. Certificate of Appreciation – Loudoun Chapter of the NAACP
(This item was presented to Reverend Early and approved by a 7-0 vote)

E. PETITIONERS

There were 5 petitioners.

F. PUBLIC HEARING

- a. Water and Sewer Rate Increase
(This public hearing was deferred to the November 22 Council meeting)
- b. TLSE-2005-0002 B&M Motor Cars special exception to permit vehicle sales within the B-3 Zoning District
(There were 3 petitioners)
- c. Adelphia-Comcast Franchise Transfer Agreement
(This public hearing was deferred to the November 22 Council meeting)

G. LEGISLATION

ORDINANCE

CONSENT AGENDA

On a motion by Vice Mayor Martinez, seconded by Councilmember Burk, the following consent agenda was approved by a 7-0 vote:

1. RESOLUTION 2005-171

Making a reduction of the performance guarantee for public improvements installed in Hawks View Glen.

REGULAR AGENDA

On a motion by Vice Mayor Martinez, seconded by Councilmember Hammler, the following motion was approved by a 7-0 vote:

2. **RESOLUTION 2005-172**

Establishing pro rata fees for the Sycolin Pressure Zone (Rt. 643) water storage tank.

On a motion by Councilmember Horne, seconded by Vice Mayor Martinez, the following motion was approved by a 7-0 vote:

3. **RESOLUTION 2005-173**

Declaring public necessity exists and authorizing offers to acquire right-of-way, temporary and permanent easements on Ft. Evans Road, and authorizing condemnation if offers are not promptly accepted.

On a motion by Vice Mayor Martinez, seconded by Councilmember Hammler, the following motion was approved by a 7-0 vote:

4. **RESOLUTION 2005-174**

Authorizing the processing of a boundary line adjustment to bring the approximately 15 acre property owned by Southeastern District of the Lutheran Church, Missouri Synod and located adjacent to the Woodlea Manor development into the town.

VILLAGE AT LEESBURG

5. **TLTA-2004-0002**

The following option was not accepted by the Town Council:

a. **RESOLUTION**

Authorizing initiation and referring a Town Plan Amendment to the Planning Commission.

On a motion by Councilmember Horne, seconded by Councilmember Zoldos, the following motion was approved by a 5-2 vote; Burk and Mayor Umstattd opposed:

b. **RESOLUTION 2005-175**

Acknowledging intent to deviate from the 2005 Town Plan.

On a motion by Councilmember Horne, seconded by Councilmember Hammler, the following motion was approved by a 4-3 vote; Burk, Kramer and Mayor Umstattd opposed:

6. **ORDINANCE 2005-O-16**

TLZM-2004-0005 to rezone 103.01 acres from I-1 to B-4 and PRC for Village at Leesburg.

On a motion by Councilmember Zoldos, seconded by Councilmember Horne, the following motion was approved by a 4-3 vote; Burk, Kramer and Mayor Umstattd opposed:

7. **RESOLUTION 2005-176**

Special Exception TLSE-2004-0019 Village at Leesburg multi-family in the B-4 Zoning District to permit 85 multi-family dwellings within the B-4 zoning portion of the Village at Leesburg development.

On a motion by Councilmember Hammler, seconded by Councilmember Zoldos, the following motion was approved by a 4-3 vote; Burk, Kramer and Mayor Umstattd opposed:

8. RESOLUTION 2005-177

Special Exception TLSE-2004-0020 Village at Leesburg Parking Deck A, to permit a two level 575 space private parking structure on the PRC Zoned portion of the Village at Leesburg development.

On a motion by Councilmember Horne, seconded by Councilmember Hammler, the following motion was approved by a 4-3 vote; Burk, Kramer and Mayor Umstattd opposed:

9. RESOLUTION 2005-178

Special Exception TLSE-2004-0021 Village at Leesburg Parking Deck B, to permit a four-level 570 space private parking structure on the PRC Zoned portion of the Village at Leesburg development.

On a motion by Councilmember Zoldos, seconded by Councilmember Horne, the following motion was approved by a 4-3 vote; Burk, Kramer and Mayor Umstattd opposed:

10. RESOLUTION 2005-179

Special Exception TLSE-2004-0022 Village at Leesburg Parking Deck C, to permit a four-level 578 space private parking structure on the PRC zoned portion of the Village at Leesburg development.

On a motion by Councilmember Hammler, seconded by Councilmember Zoldos, the following motion was approved by a 4-3 vote; Burk, Kramer and Mayor Umstattd opposed:

11. RESOLUTION 2005-180

Special Exception TLSE-2004-0023 Village at Leesburg Parking Deck D, to permit a three-level 857 space private parking structure on the B-4 Zoned portion of the Village at Leesburg development.

On a motion by Councilmember Hammler, seconded by Councilmember Zoldos, the following motion was approved by a 4-3 vote; Burk, Kramer and Mayor Umstattd opposed:

12. RESOLUTION 2005-181

Special Exception TLSE-2004-0024 Village at Leesburg, bank with drive-thru to permit a five-lane drive-through with a 5,000 square foot bank.

I. BOARDS AND COMMISSIONS

- a. Airport Commission
- b. Thomas Balch Library Commission
- c. Board of Architectural Review
- d. Cable Television Advisory Commission
- e. Economic Development Commission
- f. Environmental Advisory Commission
- g. Information Technology Commission
- h. Parks and Recreation Commission
- i. Planning Commission
- j. Tree Commission
- k. Standing Residential Traffic Committee

J. OLD BUSINESS

K. NEW BUSINESS

On a motion by Councilmember Zoldos, seconded by Vice Mayor Martinez, the following motion was approved by a 6-0-1 vote; Burk absent:

a. RESOLUTION 2005-182

Establishing pro-rata fees for the Lower Sycolin Sewer Shed Sanitary Sewer Conveyance System.

On a motion by Councilmember Horne, seconded by Vice Mayor Martinez, the following motion was approved by a 5-0-2 vote; Burk and Zoldos absent:

b. RESOLUTION 2005-183

Authorizing an agreement and approving a performance guarantee for Dulles Greenway – Battlefield Parkway Interchange Grading Plan.

On a motion by Councilmember Horne, seconded by Councilmember Kramer, the following motion was approved by a 6-0-1 vote; Zoldos absent:

c. RESOLUTION 2005-184

Adopting an amendment to the 2006 Legislative Program.

L. COUNCIL COMMENTS**M. MAYOR'S COMMENTS****N. MANAGER'S REPORT****O. ADJOURNMENT**

On a motion by Vice Mayor Martinez, seconded by Councilmember Burk, the meeting was adjourned at 9:50 p.m.